PATENT
ATTORNEY DOCKET NO.: 044574-5098 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Dario C. ALTIERI *et al.*	)	**RECEIVED**
	)	
Application No.: 10/042,302	) Group Art Unit: 1636	SEP 1 0 2002
	)	
Filed: January 11, 2002	) Examiner: Unassigned	**TECH CENTER 1600/2900**
	)	
For: **Detection of Survivin in the**	)	
Biological Fluids of Cancer	)	
Patients	)	

Commissioner for Patents
Washington, D.C. 20231

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the

Examiner the documents listed on the attached PTO-1449. This Information Disclosure

Statement is being filed before the mailing date of a first Office Action on the merits for the

above-referenced application.

Copies of the listed documents are attached. Applicants respectfully request that the

Examiner consider the listed documents and evidence that consideration by making appropriate

notations on the attached form.

This submission does not represent that a search has been made or that no better art exists

and does not constitute an admission that each or all of the listed documents are material or

constitute "prior art." If it should be determined that any of the listed documents do not

constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Sally P. Teng
'Reg. No. 45,397

Dated: September 6, 2002

MORGAN, LEWIS & BOCKIUS LLP
CUSTOMER NO.: 009629
1111 Pennsylvania Avenue, NW
Washington, D.C. 20004
Telephone: (202) 739-3000
Facsimile: (202) 739-3001

INFORMATION DISCLOSURE CITATION	Attorney Docket 044574-5098-US	Application No. 10/042,302
(Use several sheets if necessary) PTO Form 1449	Applicants: **Dario C. ALTIERI** *et al.*	Page 1 of 1
	Filing Date: **January 11, 2002**	Group: Unassigned

U.S. PATENT DOCUMENTS

Initial		Patent No.	Date	Name	Class	SubClass	Filing Date

FOREIGN PATENT DOCUMENTS

		Document No.	Date	Country	Class	SubClass	Translation	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

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	Kawasaki *et al.*, Cancer Res., 1998, 58: 5071-74.
	Lara *et al.*, Int. J. Radiat. Oncol. Biol. Phys., 1999, 43:1015-19.
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	Swana *et al.*, N. Engl. J. Med., 1999, 341:452-53.
	Tanaka *et al.*, Clin. Cancer Res., 2000, 6: 127-34.
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Examiner	Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication.